

CITY COMMISSION MINUTES

January 29, 2008

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, January 29, 2008 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Mike Rhodes, Ken Talley, Jack Taylor and Mick Wunder. Staff present was: City Manager Rod Barnes, Assistant City Manager Mike Guinn, City Engineer Christina Cook and City Clerk Tricia Gowen.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Talley moved, seconded by Commissioner Heldstab to approve the Consent Agenda. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. The Consent Agenda consisted of the following:

- a. Approval of the **January 15, 2008**, City Commission meeting minutes.
- b. The consideration and approval of **Pay Request #3** by BG Consultants, Inc., for professional services completed through December 31, 2007, for Ditch Drainage with Patch for K-57/North Jackson beautification, in the amount of \$15,026.14. (KDOT will reimburse \$11,269.61)
- c. The consideration and approval of **Pay Request #5** by BG Consultants, Inc., for professional services completed through December 31, 2007, for Rucker Road-US 77 to Whitney, in the amount of \$27,236.02.
- d. The consideration and approval of **Pay Request #18 and #19** by Kaw Valley Engineering for professional services on East Street Intersection Project, in the amounts of \$4,390.00 (pay request #18) and \$2,213.00 (pay request #19), totaling \$6,603.00.
- e. The consideration and approval of **Pay Request #5** by Kaw Valley Engineering for professional services through December 31, 2008, for Kaw Valley Industrial Park Design Services, in the amount of \$19,310.00.
- f. The consideration and approval of **2008 Payroll #1 and #2**, in the amounts of \$225,989.33 (payroll #1 – January 4, 2008) and \$226,317.50 (payroll #2 – January 18, 2008).
- g. The consideration and approval of **Pay Request #1** by J&K Contracting, Inc., for construction services completed through January 4, 2008, for Turkey Hollow, in the amount of \$96,343.20.
- h. The consideration and approval of **Pay Request #3** by Walters-Morgan for services through January 20, 2008, for the construction for the K-57 Drainage Ditch Improvements Project, in the amount of \$77,154.58.

- i. The consideration and approval of **Pay Request #1** by J&K Contracting, LLC, for construction services completed through January 7, 2008, for Tom Neal Industrial Park street, sewer and water improvements, in the amount of \$58,660.88.

APPOINTMENTS

- a. The consideration of appointment of Steve Hoambrecker to the Junction City Arts Council Board of Directors, to fill the vacated position of Jo Vega. The term will expire December 2008. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the appointment of Steve Hoambrecker to the Junction City Arts Council Board of Director. Mr. Hoambrecker's term will expire December 2008. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration and appointment of Captain Dan Breci to the Junction City/Geary County Animal Shelter Board for a one-year term. Term would commence January 1, 2008, replacing the expired position of Chief Story, and term will expire January 1, 2009. Commissioner Talley moved, seconded by Commissioner Wunder to approve the appointment of Captain Dan Breci to the Junction City/Geary County Animal Shelter Board for a one-year term to expire January 1, 2009. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

SPECIAL PRESENTATIONS:

A special presentation to the City Commission of the Kansas Ready Mixed Concrete Association Award for the I-70 and Washington Roundabout. City Engineer, Christina Cook, presented the City Commission with the Kansas Ready Mixed Concrete Association Award for the I-70 and Washington Roundabout.

YOUTH COMMISSION COMMENTS

Kyle Glaser informed the Commission that the Youth Commission will distribute carnations at Spin City on Friday, February 15th in honor of Valentine's Day. They plan to distribute 200 carnations. The Youth Commission is making preparations to have a car light parade during Sundown Salute. Also, the Youth Commission is recruiting two high school students to participate in the City's Citizens Institute. The names will be provided to the City.

NEW BUSINESS

- a. The consideration and approval of **R-2431** authorizing the City of Junction City to purchase Spin City property from FORCE, a not for profit organization, in the amount of \$1.00 (one-dollar). This would give the City of Junction City control over maintenance, staffing of Spin City and putt-putt golf course. Commissioner Heldstab moved, seconded by Commissioner Wunder to approve R-2431 authorizing the City of Junction City to purchase Spin City property from FORCE in the amount of \$1.00 (one-dollar) which includes the control over maintenance, staffing of Spin City and the putt-putt golf course. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration and approval of S-2993 approving the Transportation Revolving Loan Fund for \$6 million dollars for the fiscal years 2007, 2008 and 2009. This Loan Fund will cover K18 & Karns Drive (west of new middle school); Rucker Road – Spring Valley Road to

Olivia Farms; Rucker Road & US 77 Intersection ; Ash Street & US 77 Intersection; 6th & Jackson; 6th & Webster; Chestnut Street from RR tracks to East Street and Chestnut Street and East Street Intersection. (First Reading) **(PULLED PER CITY ENGINEER 1/29/08)**

- c. The consideration and approval of **Grant of Construction Easement** by Thomas Fritzel/Fort Development LLC, for improvements on Spring Valley Road from Highway K-18 North to Rucker Road and Rucker Road from Highway US 77 for ¼ mile to include grading, paving, striping, gutter, storm drainage improvements, sidewalks, landscaping and a 16 inch water main along Spring Valley Road and Rucker Road. City Engineer, Christina Cook, informed the Commission that this land has been donated to the City. Commissioner Talley moved, seconded by Commissioner Heldstab to approve the Grant of Construction Easement by Thomas Fritzel/Fort Development LLC, for improvements on Spring Valley Road from Highway K-18 North to Rucker Road and Rucker Road from Highway US 77 for ¼ mile to include grading, paving, striping, gutter, storm drainage improvements, sidewalks, landscaping and a 16 inch water main along Spring Valley Road and Rucker Road. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- d. The consideration and approval of **S-2994** to change the name of the street, Holly Meadows, to Lydia Court. (First Reading). City Engineer, Christina Cook, informed the Commission that all of the proper agencies will be notified of this change. Commissioner Taylor moved, seconded by Commissioner Heldstab to approve S-2994 to change the name of the street, Holly Meadows, to Lydia Court (First Reading). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- e. The consideration and approval of **S-2995** to change 901, 902, 919, 926 and 927 from Meadow Lane to North Meadow Lane; and 907, 911, 914, 915, 923, 931 and 950 from Meadow Lane to South Meadow Lane. (First Reading). **(REMOVED FROM AGENDA.)**
- f. The consideration of the following **Resolutions** to set a public hearing date for condemnation of the following properties in Junction City, KS.
 - 1. The consideration of **R-2432** to set a public hearing date of March 18, 2008, for condemnation of property at 222 W. Walnut Street, Junction City, KANSAS. Commissioner Heldstab moved, seconded by Commissioner Wunder to approve **R-2432** to set a public hearing date of March 18, 2008 for condemnation of property at 222 W. Walnut Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
 - 2. The consideration of **R-2433** to set a public hearing date of March 18, 2008, for condemnation of property at 434 W. 4th Street, Junction City, KANSAS. Commissioner Wunder moved, seconded by Commissioner Heldstab to approve **R-2433** to set a public hearing date of March 18, 2008 for condemnation of property at 434 W. 4th Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
 - 3. The consideration of **R-2434** to set a public hearing date of March 18, 2008, for condemnation of property at 119 W. 12th Street, Junction City, KANSAS. Commissioner Talley moved, seconded by Commissioner Wunder to approve **R-2434** to set a public hearing date of March 18, 2008 for condemnation of property at 119 W. 12th Street,

Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

4. The consideration of **R-2435** to set a public hearing date of March 18, 2008, for condemnation of property at 404 W. 13th Street, Junction City, KANSAS. Commissioner Wunder moved, seconded by Commissioner Talley to approve **R-2435** to set a public hearing date of March 18, 2008 for condemnation of property at 404 W. 13th Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
5. The consideration of **R-2436** to set a public hearing date of March 18, 2008, for condemnation of property at 510 W. Oak Street, Junction City, KANSAS. Commissioner Wunder moved, seconded by Commissioner Talley to approve **R-2436** to set a public hearing date of March 18, 2008 for condemnation of property at 510 W. Oak Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
6. The consideration of **R-2437** to set a public hearing date of March 18, 2008, for condemnation of property at 1212 N. Clay Street, Junction City, KANSAS. Commissioner Wunder moved, seconded by Commissioner Taylor to approve **R-2437** to set a public hearing date of March 18, 2008 for condemnation of property at 1212 N. Clay Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
7. The consideration of **R-2438** to set a public hearing date of March 18, 2008, for condemnation of property at 1204 N. Madison Street, Junction City, KANSAS. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve **R-2438** to set a public hearing date of March 18, 2008 for condemnation of property at 1204 N. Madison Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
8. The consideration of **R-2439** to set a public hearing date of March 18, 2008, for condemnation of property at 418 W. 15th Street, Junction City, KANSAS. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve **R-2439** to set a public hearing date of March 18, 2008 for condemnation of property at 418 W. 15th Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
9. The consideration of **R-2440** to set a public hearing date of March 18, 2008, for condemnation of property at 907 N. Meir Street, Junction City, KANSAS. Commissioner Talley moved, seconded by Commissioner Wunder to approve **R-2440** to set a public hearing date of March 18, 2008 for condemnation of property at 907 Meir Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- g. The consideration and approval of **One-Day Annual Membership Fee Promotional Sale** for Rolling Meadows Golf Course. Golf Course General Manager, Jeremiah Carter, informed the Commission this promotion is designed to increase membership numbers at the golf course. The sale would be held on March 1, 2008 during business hours at the golf course. Current members and former members whose membership has expired in the

past twelve months are not eligible for this promotion. The promotion will feature annual single memberships at \$250.00 and annual family memberships at \$450.00. This is a savings of \$200 for each type of membership. Mr. Carter informed the Commission that a family membership is two adults and any children age 18 and younger. Commissioner Taylor moved, seconded by Commissioner Heldstab to approve the One Day Annual Membership Fee Promotional Sale for Rolling Meadows Golf Course. Commissioner Heldstab moved, seconded by Commissioner Wunder to approve **R-2432** to set a public hearing date of March 18, 2008 for condemnation of property at 222 W. Walnut Street, Junction City, KANSAS. Ayes: Heldstab, Rhodes, Taylor, Wunder. Nays: Talley. Motion carried four to one. Commissioner Wunder requested that the golf course report the results of the sale to the Commission.

- h. The consideration and approval of the **Addition of College Student Fee Rates** to the Annual Fee Rates for Rolling Meadows Golf Course. Golf Course General Manager, Jeremiah Carter, informed the Commission that the golf course would like to add another type of membership to their fee schedule. The membership would be a college membership. The requirements are that the individual would have to show proof they are currently attending an accredited college or school either full or part time and they must be 18-23 years of age. Commissioner Talley moved, seconded by Commissioner Wunder to approve the Addition of College Student Fee Rates to the Annual Fee Rates for Rolling Meadows Golf Course. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- i. The consideration and approval of **Grant of Sanitary Sewer Easement**, for Rucker Road-Faith Tabernacle Church to Olivia Farms. City Engineer, Christina Cook, informed the Commissioner that this is a utility easement and will remain City property. Commissioner Heldstab moved, seconded by Commissioner Wunder to approve the Grant of Sanitary Sewer Easement for Rucker Road-Faith Tabernacle Church to Olivia Farms. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- j. The consideration and approval of **Change Order #1** for KDOT project 31, 6th and Jackson intersection, for a back-up battery system for the traffic signal, in the amount of \$4,882.50. City Engineer, Christina Cook, informed the Commission that the back-up battery will last approximately two hours and puts the lights in flash mode. Commissioner Taylor moved, seconded by Commissioner Talley to approve Change Order #1 for KDOT project 31, 6th and Jackson intersection, for a back-up battery system for the traffic signal in the amount of \$4,882.50. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- k. The consideration and approval of **Change Order #1** by J&K Contracting for additional expenses for Ehler's Hilltop/Doc Hargreaves Pavement Patching Project, in the amount of \$36,576.33. City Engineer, Christina Cook, informed the Commission that this will complete Thompson Drive only. Commissioner Wunder moved, seconded by Commissioner Taylor to approve Change Order #1 by J&K Contracting for additional expenses for Ehler's Hilltop/Doc Hargreaves Pavement Patching Project in the amount of \$36,576.33. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- l. The consideration and approval of **Change Order #2** by J&K Contracting for additional expenses for Ehler's Hilltop/Doc Hargreaves Pavement Patching Project, in the amount of \$134,257.50. **(REMOVED FROM AGENDA.)**

- m. The consideration and approval of Change Order #1 by the City for the resident at 619 Skyline Drive, for her request to have her retaining wall be added to the various storm sewer projects and/or create a benefit district to 619 Skyline Drive. **(TABLED. WILL BE ADDRESSED AT THE 02/19/08 COMMISSION MEETING.)**

GENERAL DISCUSSION

(The Commission requests that comments be limited to a maximum of five minutes for each person).

Chris Jasinski – 7218 Rockwood Drive, Milford, Kansas. (Please see attached – page 9 and 10.)

David Alexander – 1204 McFarland Road, Junction City, Kansas. Mr. Alexander stated that the Junction City Taxpayer's Association is still waiting on corrections from the slides that were presented by Mr. Pete Robertson. Mr. Alexander stated that he is confused who is in charge of the oversight of payment to the Public Relations Director. He distributed billing information to the Commission. He stated that there are billing discrepancies of charges for \$30 and \$50 per hour for services. Mr. Alexander wants to reassure the tax payers that all of their questions are answered. Mr. Alexander also distributed a graph to the Commission in response to the debt repayment slide that was presented by the City. Mr. Alexander stated that he had confirmed the temporary note information with Gilmore Bell. He stated that the City has not accounted for the additional amounts for the temporary notes. Mr. Alexander stated that he is anxious for a response from the Commission about his inquiries. Mr. Alexander informed the Commission that he would like to see the Commission take the burden off of the City Manager's shoulder by hiring a CFO so the City Manager wouldn't have to take on so much.

Scott Johnson – 2705 Munson Road, Junction City, Kansas. Mr. Johnson questioned the Commission about the difference in specials amounts in Sutter Woods and Sutter Heights (as to why they are almost double the other specials). Mr. Johnson stated that he wants an answer. Mr. Johnson wants to know which developers have pledge money to the Opera House and if they have paid their pledges. And are the pledges they made tied to offers by the City? Mr. Johnson wants all of the developers who have pledged money to the Opera House to meet and write out their pledges. Mr. Johnson wants to know if the developers are going to make their pledges and are they not going to follow through with the pledges if their projects are not approved.

COMMISSIONER COMMENTS

Commissioner Taylor asked about the legal ramifications of people not paying their pledges. Also, Commissioner Taylor asked why he was not notified that the City Attorney has rendered an opinion regarding the releasing of the Opera House pledge information. City Manager Rod Barnes stated that the City Attorney did not issue a written opinion, only a verbal and once that opinion was rendered, that Commissioner Taylor received the information he had requested. Commissioner Taylor asked about the City's \$350,000 donation to the Opera House. Commissioner Taylor stated that he appreciated the City Manager and the Staff's efforts and time to research his requests. Commissioner Taylor stated that he had heard something about the military providing funds through the State legislature for areas being impacted by the military. City Manager Rod Barnes stated that Commissioner Taylor's comments would be researched. Commissioner Taylor stated he had received a complaint about the car wash on 5th Street regarding the cars blocking access and causing traffic flow problems. Police Chief Bob Story stated he would have the patrol units watch the area closer and enforce the traffic regulations.

Commissioner Wunder moved, seconded by Commissioner Taylor to authorize the Mayor to create the Mayor's Task Force to look into City issues. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

Commissioner Talley stated that he thought the Mayor's Task Force was a good idea. He felt that the first item the task force should address is having an independent study done on all development agreements. Commissioner Talley asked if information will go out regarding the meeting date and time. Mayor Rhodes stated that the details are being finalized and the members will be informed very soon of the first meeting date, time and location. Commissioner Taylor stated that he had received a call that the Mayor doesn't have the authority to form a task force. City Manager Rod Barnes stated that he would research this issue. Commissioner Talley asked about the status of the debris clean up.

Veolia Water Project Manager, Steve Hoambrecker, informed the Commission that 50+% of the clean up has been accomplished. To date, more than 14,000 cubic yards has been collected and dumped. The contractor is being paid by the cubic yard. Mr. Hoambrecker stated that we are still waiting to hear if the declaration by the President has been approved. FEMA representatives will meet with City and County staff on January 31, 2008.

Commissioner Heldstab expressed concern about the compaction of the limbs during the clean up. The contractor explained that they are dealing with green limbs which do not compact very well. Limbs are measured at the dump site. Commissioner Heldstab said that today is Kansas Day – Happy Kansas Day!

Mayor Rhodes told Mr. Ehm that the paper had been signed in regards to the American Legion Baseball schedule and the Junction City Generals Baseball schedule. Mayor Rhodes stated that the City had received a letter from Deb Miller with KDOT informing us that we do not have any bridges behind in the inspection schedule through KDOT. Mayor Rhodes stated that he and Commissioner Heldstab visited with Picerne officials with regards to the information posted on their web site about additional housing numbers. Yes, the web site lists 2,100 homes, however, the Picerne officials stressed that it is only a net gain of 400 houses. Mayor Rhodes informed the citizens that documents signed by the Mayor are not signed unless they are approved by the Commission. Mayor Rhodes welcomed the new representative, Heather Hickerson, with KJCK radio.

STAFF COMMENTS

City Engineer Christina Cook informed the Commission that she had checked into the gate issue at the new middle school. She spoke to KDOT, USD 475 and the Fire Department. The gates will be locked at all times except during an emergency. The Fire Department is researching Knox boxes that can be accessed during emergency situations.

Codes Administrator David Hurley stated that the property at 420 W. 12th Street has been acquired by a new owner and the owner has a contingency plan and will present the plan to the Commission.

EXECUTIVE SESSION


Commissioner Heldstab moved, seconded by Commissioner Talley to adjourn into executive session at 9:15 p.m. to reconvene at 9:30 p.m. to discuss matters of acquisition right-of-way land. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. Included in the Executive Session were the City Manager, Assistant City Manager and the City Engineer.

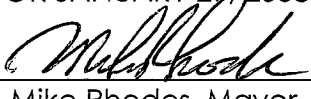
Commissioner Heldstab moved, seconded by Commissioner Talley to reconvene into regular session at 9:23 having made no decisions nor taken any action while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Heldstab moved, seconded by Commissioner Taylor to adjourn at 9:24 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 5th DAY OF FEBRUARY, 2008 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JANUARY 29, 2008.


Tricia Gowen, City Clerk


Mike Rhodes, Mayor